

PROB 12B
(7/93)

United States District Court
for
District of New Jersey
Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Art Green

Cr.: 05-00197-001
PACTS Number: 41623

Name of Sentencing Judicial Officer: The Honorable John C. Lifland

Date of Original Sentence: 07/11/05

Original Offense: Embezzlement by a Bank Employee

Original Sentence: 30 months incarceration

Type of Supervision: 5 years supervised release

Date Supervision Commenced: 06/15/07

PETITIONING THE COURT

- ☐ To extend the term of supervision for _____ Years, for a total term of _____ Years.
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

The offender shall satisfy the amount of restitution due in monthly installments of at least \$25.

CAUSE

We are requesting a modification of the court-ordered minimum payment of \$250 a month based on the offender's current financial situation and his inability to pay.

Respectfully submitted,



By: Donna W. Shaw

Senior U.S. Probation Officer

Date: 01/26/09

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ The Extension of Supervision as Noted Above
☐ No Action
☐ Other



Signature of Judicial Officer

3/12/09

Date

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

WILFREDO TORRES
SENIOR DEPUTY CHIEF PROBATION OFFICER

DEPUTY CHIEF PROBATION OFFICER
THOMAS C. MILLER

January 29, 2009

SUPERVISION UNIT
20 WASHINGTON PLACE
6TH FLOOR
NEWARK, NJ 07102-3172
(973) 645-6161
FAX: (973) 645-2155
www.njp.uscourts.gov

The Honorable John C. Lifland/Judge Designate
Martin Luther King Jr. Federal Building & Courthouse
PO Box 0999
Newark, NJ 07102-0999

RE: GREEN, Art
Dkt. No.: 05-00197-001
Request to Modify Conditions of
Supervised Release

Dear Judge Lifland/Judge Designate:

On July 11, 2005, the above-named individual appeared before Your Honor for sentencing on a charge of Embezzlement by a Bank Employee. Mr. Green was sentenced to 30 months imprisonment and a five-year-term of supervised release with the following special conditions: 1) mental health treatment, 2) financial disclosure, 3) substance abuse testing and treatment, 4) employment restrictions, 5) prohibited from incurring any new credit charges or opening lines of credit without the approval of the probation officer, 6) collection of DNA, and 7) restitution in the amount of \$331,189.36, to be paid in monthly installments of not less than \$250.00.


Mr. Green has remained compliant throughout his term of supervised release with the exception of making monthly restitution payments. Green has a significant history of mental illness and substance abuse and has remained stable and compliant with treatment for both. Green is presently employed with an average monthly net income of \$2,600. A financial profile reflects that Green's monthly bills are approximately \$2,600. Based on the financial analysis, Mr. Green has been directed to begin making good faith monthly payments in an amount of not less than \$25.00. The monthly payments shall be altered based on Mr. Green's income and ability to pay.

Unless Your Honor considers otherwise, the probation office recommends that the special condition ordering this offender to make monthly installments of not less than \$250 be modified to allow monthly restitution payments be made based on this offender's income and ability to pay, as determined by a financial profile completed by the probation office. Enclosed for Your Honor's approval is Probation Form 12B, Request for Modifying the Conditions of Supervised Release.

If Your Honor requests an alternative course of action, please contact the undersigned officer at (973) 645-2026, at your earliest convenience.

Respectfully submitted,

CHRISTOPHER MALONEY, Chief
U.S. Probation Officer


Donna W. Shaw
Senior U.S. Probation Officer

/dws
Enclosure